

## Message Text

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ORIGIN SS-25

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APPROVED BY EUR - ARTHUR A. HARTMAN

L - PRTRIMBLE

EB - CWSCHMIDT

H - PHSTAHNKE

C - HCONNENFELDT

EUR - JAARMITAGE

S/S -O:MTANNER

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FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST PRIORITY

C O N F I D E N T I A L STATE 098186

EXDIS FOR AMBASSADOR FROM HARTMAN

E.O. 11652: GDS

TAGS:EEWT, RO

SUBJECT:EMIGRATION WAIVER FOR ROMANIA

1. SUMMARY: WE ARE BEGINNING TO GEAR UP FOR THE EXTENSION FOR AN ADDITIONAL YEAR OF THE SECTION 402 WAIVER FOR ROMANIA THIS MESSAGE OUTLINES 1) STEPS INVOLVED IN THIS PROCESS; 2) OUR CURRENT ASSESSMENT OF THE PROBLEMS WE MAY ENCOUNTER ON THE HILL; 3) WHAT WE THINK YOU OUGHT TO SAY NOW TO THE ROMANIANS. END SUMMARY.

2. WE HOPE TO TRANSMIT TO WHITE HOUSE BY MAY 15, SECRETARY'S RECOMMENDATION THAT PRESIDENT SEEKS GENERAL WAIVER AUTHORITY AND SPECIFIC EXTENSION OF WAIVER TO ROMANIA. IN ACCORDANCE WITH TERMS OF THE TRADE ACT, THE REQUEST MUST THEN BE SENT TO CONGRESS BY JUNE 3 - THIRTY DAYS BEFORE WAIVER AUTHORITY EXPIRES. ACCOMPANYING DOCUMENTS WILL INCLUDE PRESIDENTIAL CONFIDENTIAL

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MESSAGE STATING WHY EXTENSION OF WAIVER AUTHORITY IS

DESIRABLE AND WHY PRESIDENT BELIEVES THAT A 12-MONTHS PRO-  
LONGATION OF WAIVER TO ROMANIA WOULD PROMOTE OBJECTIVES OF  
SECTION 402 OF THE TRADE ACT. BOTH HOUSES OF CONGRESS CAN  
THEN ACT AFFIRMATIVELY DURING THE 30-DAY PERIOD PRECEDING  
EXPIRATION OF THE PRESENT WAIVER, I.E. BEFORE JULY 4.

ALTHOUGH CONGRESS CAN GIVE ITS APPROVAL WITHIN 30-DAYS  
PRIOR TO JULY 4, IF THIS DOES NOT OCCUR, SECTION 402 (D)  
(3) AND (4) PROVIDE FOR ACTION WITHIN 105 DAYS FOLLOWING  
JULY 4. IN UNLIKELY EVENT THAT NO ACTION IS TAKEN WITHIN  
THIS LONGER PERIOD, WAIVER WOULD BE EXTENDED FOR 12 MONTHS.

3. WE BELIEVE WE CAN GET THIS EXTENSION THROUGH CONGRESS  
WITHOUT MAJOR DIFFICULTY, COUNTING ON THE  
APPRECIABLY BETTER SHOWING ON EMIGRATION OVER CALENDAR  
YEARS 1975, 1976.

THIS IS NOT TO SAY, HOWEVER,  
THAT THE EXTENSION IS A SURE THING OR THAT WE WILL NOT  
HAVE TO NAVIGATE THROUGH SOME POTENTIALLY DANGEROUS ROCKS  
AND SHOALS. WE SEE SEVERAL AREAS (OUTLINED BELOW) WHERE  
WE MIGHT ENCOUNTER DIFFICULTY DURING UPCOMING CONGRESSIONAL  
CONSULTATIONS, AND WE THINK YOU SHOULD BRING THESE PROBLEM  
AREAS IMMEDIATELY TO THE ATTENTION OF THE GOR.

4. IN APPROACHING THE ROMANIANS (PRESUMABLY MACOVESCU)  
YOU MIGHT BEGIN BY EXPRESSING OUR GENERAL SATISFACTION  
WITH THE CONTRIBUTION OUR TRADE AGREEMENT HAS MADE TO  
THE US/ROMANIAN BILATERAL RELATIONSHIP. YOU MIGHT ADD,  
ALTHOUGH NOT YET REFLECTED IN THE STATISTICS, WE BELIEVE  
THE AGREEMENT WILL IN DUE COURSE LEAD TO A SUBSTANTIAL  
RISE IN TRADE IN BOTH DIRECTIONS. THAT IS CERTAINLY  
OUR GOAL, AND WE BELIEVE CONTINUED EXTENSION OF MFN (AS  
WELL AS GSP) TO ROMANIA WILL FACILITATE IT. YOU MIGHT  
THEN SKETCH OUT THE STEPS INVOLVED (PARA 2 ABOVE) IN ANOTHER  
YEAR'S PROLONGATION OF THE SECTION 402 WAIVER. YOU SHOULD  
INDICATE THAT OUR SOUNDINGS IN CONGRESS THUS FAR SHOW NO  
GENERAL CONCENSUS FOR OR AGAINST A FURTHER EXTENSION. YOU  
MIGHT MENTION THAT SOME CONGRESSMEN HAVE EXPRESSED DIS-  
APPOINTMENT OVER THE ACTUAL DROP-OFF IN TRADE SINCE THE  
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AGREEMENT WAS SIGNED. OTHERS HAVE COMPLAINED ABOUT THE  
"VAGUE" NATURE OF THE PRESIDENT'S ASSURANCES ON EMIGRATION  
A YEAR AGO. YOU COULD THEN ADD THAT WE THINK WE CAN  
HANDLE BOTH OF THESE COMPLAINTS IF GOR CAN BE FORTHCOMING  
IN AREA OF PARTICULAR CONCERN TO US. (SEE PARA 5). WITH  
REGARD TO ASSURANCES, THE GOR SHOULD KNOW THAT OUR PRESENT  
INTENTION IS TO ASK SIMPLY FOR A REAFFIRMATION OF THE  
APPROACH AND STATEMENTS OF LAST YEAR. ON THIS BASIS THE

PRESIDENT WOULD SEND A REPORT TO CONGRESS GIVING HIS REASONS FOR THE WAIVER. (WE WILL OUTLINE TO YOU LATER WHAT WE PROPOSE TO SAY ON THIS POINT.)

5. HAVING SAID THE ABOVE, YOU SHOULD THEN SPELL OUT THE SPECIFIC AREAS WHICH CONCERN US AND WHERE WE KNOW CONGRESS . SHARES OUR CONCERN:

A) INDIVIDUAL EMIGRATION APPLICATIONS OF SPECIAL INTEREST TO SOME CONGRESSMEN; ILLUSTRATIVE OF SUCH CASES ARE RAUTA, BALTA, MARTA, RADULESCU, GHYKA. (YOU MIGHT ADD OR SUBTRACT EXAMPLES AS YOU SEE FIT.)

B) MARRIAGE CASES, WHERE WE HAVE BEEN ALMOST COMPLETELY STYMIED FOR MONTHS. SUCH CASES INCLUDE BOGDAN, MUNTEANU, POPESCU AND SZABO.

C) FLUCTUATIONS IN THE EMIGRATION FIGURES, ESPECIALLY TO ISRAEL, WHERE THE RECENT LOW TOTALS ARE PARTICULARLY DISTURBING.

D) TREATMENT OF CERTAIN ETHNIC (PARTICULARLY HUNGARIAN) AND RELIGIOUS MINORITIES. ALTHOUGH WE RECOGNIZE THIS LAST ISSUE IS NOT DIRECTLY RELATED TO EMIGRATION, YOU SHOULD REMIND ROMANIANS THAT IT WAS RAISED BY SOME MEMBERS LAST YEAR AND THAT INEVITABLY WILL BE RAISED AGAIN.

(FYI: AS YOU RECALL, ASSISTANT SECRETARY HARTMAN TOLD MEMBERS OF THE WAYS AND MEANS SUBCOMMITTEE LAST YEAR THAT WE WOULD BRING THEIR CONCERNS OVER THIS SUBJECT TO THE ATTENTION OF THE AUTHORITIES IN BUCHAREST.)

6. IN CITING THIS CATALOGUE OF PROBLEMS YOU SHOULD REITER-  
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ATE THAT WE HOPE THAT THE EXTENSION OF THIS WAIVER CAN PROCEED WITHOUT GREAT PROBLEMS. WE WOULD PREFER, HOWEVER, TO APPROACH CONGRESS WITH THE BEST POSSIBLE RECORD. THE GOR HAS IT IN ITS POWER TO MOVE IN THIS AREA, AND THE MORE IT DOES, THE LESS LIKELY THERE WILL BE SERIOUS RESISTANCE TO EXTENSION.

(YOU SHOULD SEEK WAY TO INDICATE THAT:

A) ILLUSTRATIVE CASES MENTIONED REFLECT STRONG AND INTENSIVE CONGRESSIONAL INTEREST AND

B) WE HOPE THE FIGURES ON ACTUAL DEPARTURES TO BOTH THE US AND ISRAEL WILL SHOW A SHARP SURGE BETWEEN NOW AND THE END OF JUNE.)

7. IF YOU THINK THIS APPROACH MAKES SENSE, GO AHEAD AND TRY  
IT OUT ON MACOVESCU ASAP. IF YOU HAVE PROBLEMS WITH IT,  
ALSO LET US KNOW RIGHT AWAY. KISSINGER

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